

Amendment No. 1 to HB2342

Doss
Signature of Sponsor

AMEND Senate Bill No. 1858*

House Bill No. 2342

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 54-21-104(b)(1), is amended by deleting the subdivision and substituting instead the following:

(1) Permits and tags shall not be issued until applications are made in accordance with and on forms provided by the commissioner and accompanied by payment of a fee of two hundred dollars (\$200) for each permit and tag requested. This fee shall represent payment for the required tag and for the first annual permit and shall not be subject to return upon rejection of any application. The commissioner shall use best efforts to process an application for a permit, in accordance with the rules of the department of transportation, within no greater than sixty (60) days after a completed application is received. If the application is incomplete or defective on its face, the commissioner shall notify an applicant in writing no later than fifteen (15) days of receipt of the filed application of its incomplete or defective status, and indicate the information or documentation that is needed to complete or correct the application. If a decision either to issue or deny the permit cannot be made within sixty (60) days after receipt of the completed or corrected application, the commissioner shall contact the applicant prior to the expiration of the sixty (60) days to provide an explanation of the reasons why additional time is needed to process the application.

SECTION 2. Tennessee Code Annotated, Section 54-21-104(b), is amended by adding the following as new subdivision (2) and renumbering existing subdivision (2) as new subdivision (3):

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(2) An application for an addendum to an existing permit requesting authorization to upgrade an existing outdoor advertising device to a changeable message sign with a digital display, as provided in § 54-21-122, shall also be accompanied by payment of a fee of two hundred dollars (\$200), which shall not be subject to return upon rejection of the application. No outdoor advertising device with a digital display lawfully permitted, erected, and in operation prior to June 1, 2008, shall be required to apply for such an addendum or to pay the fee.

SECTION 3. Tennessee Code Annotated, Section 54-21-119(a), is amended by adding the following at the end of the subsection:

The commissioner shall use best efforts to process an application for a permit, in accordance with the rules of the department of transportation, within no greater than thirty (30) days after a completed application is received. If the application is incomplete or defective on its face, the commissioner shall notify an applicant in writing no later than fifteen (15) days of receipt of the filed application of its incomplete or defective status, and indicate the information or documentation that is needed to complete or correct the application. If a decision to approve or deny the application cannot be made within thirty (30) days after receipt of the completed or corrected application, the commissioner shall contact the applicant prior to the expiration of the thirty (30) days to provide an explanation of the reasons why additional time is needed to process the application. If the application is approved, the applicant shall notify the commissioner of the date on which the applicant wishes the permit to be issued. The applicant shall complete the authorized vegetation control within the time period specified in the permit, and in any

event, the applicant shall complete the vegetation control within one (1) year after the date on which the application was approved or the application approval and permit shall be void.

SECTION 4. This act shall take effect July 1, 2018, the public welfare requiring it.